

## DONALD LEE FERGUSON (JUNIOR)

JULY 1, 1952.—Committed to the Committee of the Whole House and ordered to be printed

Mr. WALTER, from the Committee on the Judiciary, submitted the following

### REPORT

[To accompany S. 2733]

The Committee on the Judiciary, to whom was referred the bill (S. 2733) for the relief of Donald Lee Ferguson (Junior), having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

#### PURPOSE OF THE BILL

The purpose of the bill is to waive the racial barrier to admission into the United States in behalf of the minor Japanese stepchild of a United States citizen serviceman. The child would be considered to be a nonquota immigrant which is the status normally enjoyed by the alien minor children of citizens of the United States.

#### GENERAL INFORMATION

The beneficiary of the bill is the minor stepchild of Cpl. Donald Lee Ferguson, who was married to the child's mother in Japan on August 10, 1951. The child's mother is eligible to enter the United States as the wife of a citizen serviceman under the provisions of Public Law 6 of the Eighty-second Congress.

Senator Robert A. Taft, the author of the bill, has submitted the following information in connection with the bill:

GENERAL HEADQUARTERS, FAR EAST COMMAND,  
OFFICE OF THE COMMAND STAFF JUDGE ADVOCATE,

APC 500, January 9, 1952.

Hon. ROBERT A. TAFT,

Senate Office Building, Washington, D. C.

DEAR MR. TAFT: Attached please find copy of letter addressed to Senator Herbert H. Lehman, requesting him to introduce a private bill for entry into the United States of the stepson of Corp. Donald Lee Ferguson, whose permanent domicile is in the city of Waverly, State of Ohio.

Corporal Ferguson's parents, Mr. and Mrs. Charles H. Ferguson, reside at Route 2, Waverly, Ohio, but Mr. Ferguson has been employed in New York City for the past year, and is residing at 573 Isham Street, New York.

Corporal Ferguson has requested me to ask your assistance in the passage of this legislation, which will permit him to bring his stepson, now called Donald Lee Ferguson, to the United States.

Corporal Ferguson married a Japanese national, by the name of Sueko Ogawa, on August 10, 1951. She had one child at the time of her marriage to him.

Also enclosed please find a list showing the names and addresses of members of Corporal Ferguson's family. Also names and addresses of three friends, of whom inquiry may be made by the immigration authorities, if necessary.

Thank you for your consideration and with best wishes,

Sincerely yours,

MARY C. EASTERLING,

Attorney-Adviser.

Two enclosures.

#### MEDICAL REPORT REGARDING DONALD LEE FERGUSON, JR.

TOKYO ARMY HOSPITAL

February 14, 1952.

Donald Lee Ferguson, Jr., was examined in the pediatric section of Tokyo Army Hospital on February 8, 1952.

Examination at that time showed a well-developed, well-nourished male child. The patient was afebrile. Examination of the upper respiratory passages, heart, and lungs showed no evidence of infectious disease. General physical examination showed no congenital abnormalities. A film of the chest was within normal limits. The Wasserman reaction was negative. A tuberculin (PPD No. 1) carried out at the time of examination was read as negative 2 days later.

Impression: No evidence of communicable disease. Physical examination within normal limits.

J. A. DUGGAN,

Captain, Medical Corps, Pediatric Section.

AFFADAVIT

CAMP DRAKE, ASAKA, JAPAN,

January 6, 1952.

#### To Whom It May Concern:

I, Sgt. Robert F. Wallace, have known Corp. Donald L. Ferguson, his wife, and his child for approximately the past 14 or 15 months. During this time, we have been closely associated in work as in recreation. We were both assigned to this station at approximately the same time, and since then we have been very close friends. Corporal Ferguson is a very efficient worker and very exacting in everything that he does. It is my opinion that he would be a success in nearly any type of work that he might attempt. He seems very happy with his home life with his wife and their child and is inevitably trying to better himself for their benefit.

Corporal Ferguson's wife, Sueko, has always seemed to me to be a fine young woman and a good mother to their child. On many occasions, Corporal Ferguson and his wife have spent an enjoyable evening with my wife and myself. On all of these occasions, Mrs. Ferguson has always seemed to be a very well mannered and conscientious young lady, and a fine and dutiful wife to Corporal Ferguson,

ROBERT F. WALLACE,

Sergeant, RA21628467.

The following additional information was submitted to the chairman of the Senate Committee on the Judiciary by the Attorney-Adviser of the Far East Command with reference to the case:

GENERAL HEADQUARTERS FAR EAST COMMAND,  
OFFICE OF THE COMMAND STAFF JUDGE ADVOCATE,  
APO 500, March 13, 1952.

Hon. PAT McCARRAN,  
*Senate Office Building, Washington 25, D. C.*

DEAR MR. McCARRAN: I am writing you in the interest of Corp. Donald Lee Ferguson, [REDACTED], Headquarters and Headquarters Company, Camp Drake Replacement Depot, Eight Thousand and Forty-second Army Unit, APO 613, care of Postmaster, San Francisco, Calif. Corporal Ferguson married a Japanese national on the 10th of August 1951. His wife at that time had one child. His application was approved by his commanding officer and the marriage was recorded at the consulate. Immediately after his marriage he went to the office of the American consul to make application and petition on Form I-133 for entry into the United States of his wife and child. At that time he asked if the child could be included on the form and was advised by the clerk who waited on him that the child could be included, however, he did not know the importance of emphasizing the fact that the child was a stepchild and not his own, inasmuch as all of these facts were shown on the application. At the time he received his orders he went to the American Consulate for the passport and was advised that the child's name had been stricken from the petition by the Immigration authorities in Washington.

Corporal Ferguson then came to the legal assistance office and requested assistance in having a private bill introduced. As is customary I asked for the names and addresses of all members of his family. The father's address was in New York and I addressed my communication to Senator Lehman, as per attached copy of letter. This was on January 8, 1952, and to date no response has been received from Senator Lehman. Senator Taft and Congressman Clarence J. Brown have both expressed their willingness to assist with this bill when it is introduced. You will note from the attached list Corporal Ferguson's family, his mother, brothers, and sisters reside in Waverly, Ohio.

This communication is addressed to you in view of your bill S. 2055, August 27, 1951, which will permit entry into the United States of stepchildren of servicemen with request that you communicate with Senator Lehman and if he has not had the time to introduce a bill for this boy that you introduce same or request Senator Taft to introduce the bill, inasmuch as no further extension will be granted unless Corporal Ferguson can produce copy of a bill for the relief of his stepchild, born 24th of June 1948. I trust you will not feel this request to be presumptuous but knowing full well of your sincere interest in immigration matters of this nature, I feel you will understand why this request is being made of you.

Anticipating your reply and with best wishes and kindest regards, I am,  
Sincerely yours,

MARY C. EASTERLING,  
*Attorney-Adviser.*

Seven enclosures.

The committee, after consideration of all the facts in the case, is of the opinion that the bill (S. 2733) should be enacted.

○

The following additional information was submitted to the Chair-  
man of the Senate Committee on the Judiciary by the Attorney-  
General of the State of New York on June 1, 1935:

On June 1, 1935, the following information was received from the  
Attorney General of the State of New York:

The following information was received from the Attorney General of the  
State of New York on June 1, 1935:

On June 1, 1935, the following information was received from the  
Attorney General of the State of New York:

The following information was received from the Attorney General of the  
State of New York on June 1, 1935:

On June 1, 1935, the following information was received from the  
Attorney General of the State of New York:

The committee after consideration of all the facts in the case, is  
of the opinion that the bill (S. 2735) should be amended.